

IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED : 30.01.2019
CORAM
THE HONOURABLE Mr.JUSTICE S.M.SUBRAMANIAM
W.P.No.21112 of 2016
and
MP.No. 18042 of 2016

Vel Jayakumar

..Petitioner

vs

- 1.The District Collector,
District Collector Office - Tirupur,
Palladam Road,
Tirupur.
2. The Chairman,
Tamil Nadu Generation and distribution
Corporation Ltd,
10th floor, NPKR Maaligai,
144, Anna Salai, Chennai-2.
3. The Superintending Engineer,
Tirupur Electricity Distribution Circle,
Tamil Nadu Generation and distribution
Corporation Ltd,
19A,19B, Jothi Nagar,
Perumanallur Road, Tirupur.
4. The Superintending Engineer,
Tamil Nadu Transmission Corporations,
General Construction Circle/Coimbatore,
182, TATABAD, Coimbatore-12. .. Respondents

Prayer: Writ Petitions filed under Article 226 of the Constitution of India praying to issue a Writ of Mandamus, forbearing the 3rd and 4th respondents, their men, officers, representatives from in any manner erecting 250KVA HT line in the petitioner's agricultural land bearing SF.No.289/1, Chettiyampalayam village or draw high voltage electrical lines over them without following the provisions of the Electricity Act,2003 and the Indian Telegraph Act,1885.

For Petitioner :Mr.R.S.Pandiyaraj
For Respondents : Mrs.R.Janaki
Addl.Govt.Pleader for R1
Mr.Abdul Saleem
for R2 to R4

O R D E R

The relief sought for in the present writ petition is to forbear the respondent 3 and 4, their men, officers, representatives from in any manner erecting 250KVA HT line in the petitioner's agricultural land bearing SF.No.289/1, Chettiyampalayam village or draw high voltage electrical lines over them without following the provisions of the Electricity Act,2003 and the Indian Telegraph Act,1885.

2. The grievances of the writ petitioner is that the respondents are attempting to commission to erect High Tension electricity line in the agricultural land belongs to the writ petitioner. The objections submitted by the writ petitioner before the District Collector is yet to be considered under the provisions of the Works of Licensees Rules,2006.

3. The District Collector has to conduct an enquiry by considering the objections if any submitted by the land owner and pass orders on merits and in accordance with law. The learned counsel for the writ petitioner states that the writ petitioner has submitted his objections on 06.06.2016.

4. In this view of the matter, the first respondent/District Collector, Tirupur is directed to consider the objections/explanations submitted by the writ petitioner by conducting an enquiry and by affording an opportunity to the writ petitioner and pass orders on merits and in accordance with law within a period of 4 weeks from the date of receipt of a copy of this order.

5. Accordingly, the writ petition stands disposed of. No Costs. Consequently, connected miscellaneous petition is closed.

Sd/-
सत्यमेव जयते

Assistant Registrar (Co)

//True Copy//

Sub Assistant Registrar

Pkn

To

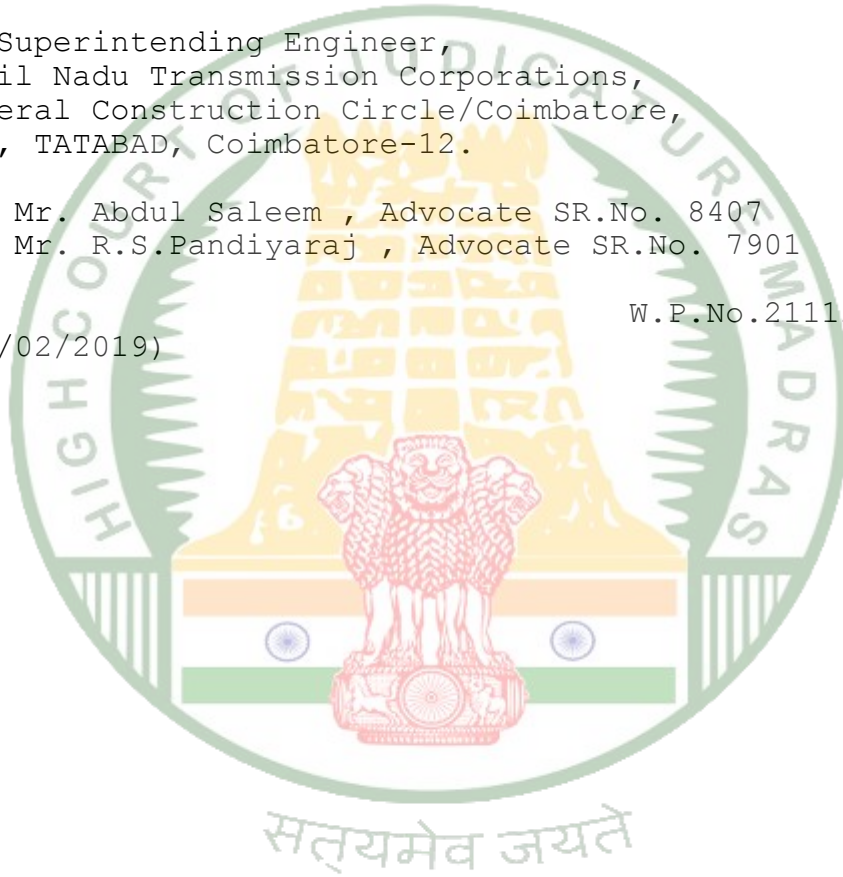
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+1cc to Mr. Abdul Saleem , Advocate SR.No. 8407
+1cc to Mr. R.S.Pandiyaraj , Advocate SR.No. 7901

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A.SK(26/02/2019)



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